

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

In re: Ralph Stanley Mileouski

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Case No: 09-35554

Chapter 13

**OBJECTION TO CONFIRMATION**

**COMES NOW**, Susan H. Call, Counsel for Carl M. Bates the Chapter 13 Trustee, and moves this Court to deny confirmation of the Chapter 13 Plan filed on January 25, 2011, for the cause as follows:

1. The Debtors filed this Chapter 13 Petition on August 28, 2009 under 11 U.S.C. Chapter 13, now pending in the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division.
2. This Objection is filed pursuant to 11 U.S.C. 1325.
3. The above filed Chapter 13 Plan fails to pay all the disposable income into the Chapter 13 plan shown by:
  - a. This proposed plan, having previously been confirmed attempts to lower the funding for the above median debtor with excess income on Form 22C. The Trustee request documentation to demonstrate a substantial unanticipated change in income to merit a reduction of distribution to unsecured claimholders. The Trustee would further request current pay stubs (3 months before the date of the filing of this objection) and a full copy of the 2009 tax returns. The Chapter 13 Trustee would suggest that the debtor pay all disposable income into the Chapter 13 Plan.

WHEREFORE, for the reasons stated herein, the Chapter 13 Trustee, by Counsel, Susan H. Call, respectfully moves the Court to deny confirmation of the Debtors' proposed Chapter 13 Plan as filed with the Court, and for such further and other relief as in the premises may seem just.

Date: February 25, 2011

/s/Susan H. Call

Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee

Susan H. Call, Esquire  
Staff Counsel for  
Carl M. Bates, Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218-1819  
(804) 237-6800  
VSBN 34367

**Certificate of Service**

I hereby certify that on February 25, 2011, I have mailed or hand-delivered a true copy of the foregoing Objection to Confirmation to the debtor(s), Ralph Stanley Mileouski, 9900 Wenatchee Court, Richmond, VA 23236 and electronically sent to debtor's attorney, Joseph S. Massie, III, Esquire, jmassie@massielawfirm.com.

/s/Susan H. Call

Susan H. Call, Counsel for

Carl M. Bates

Chapter 13 Trustee

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Susan H. Call, Esquire  
Staff Counsel for  
Carl M. Bates, Chapter 13 Trustee  
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\_\_\_\_\_ Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**

  X   Attend the hearing on the objection scheduled to be held on **March 9, 2011** at **11:00 am** at United States Bankruptcy Court, **701 East Broad Street, Richmond, VA 23219, Room 5100.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the objection and may enter an order granting that relief.

Date: February 25, 2011

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee  
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/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee

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